IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO.367 OF 2005
IN
CRIMINAL APPEAL NO.756 OF 1988

Gautam N. Kothari .. Applicant.

v/s.

The State of Maharashtra .. Respondent.

Mr.P.P.Hudlikar for applicant.

Ms.P.H.Kantharia, Additional Prosecutor for the State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 7th February, 2005

P.C.

Heard.

2. By a separate order passed by us today, we have condoned the delay in making the application for restoration.

3. Having considered the matter, we are of the view that the order dated 14th July, 2003 passed by then Division Bench deserves to be recalled and criminal appeal No.756 of 1988 be restored.

4. The order dated 14th July, 2003 is, accordingly,

recalled. Criminal appeal No.756 of 1988 is restored.

5. Office is directed to call for record and proceedings and post the criminal appeal No.756 of 1988 for hearing no sooner the record and proceedings are received.

6. Criminal application stands disposed of.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)